

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

IN RE: )  
 )  
CRYSTAL LOUISE SWALLOWS ) CASE NO. 18-07061-RLM-13  
 )  
DEBTOR )

**AGREED MODIFICATION**

The parties hereto agree that debtor's plan must be immaterially modified to resolve an existing issue. This modification meets the requirements of 11 U.S.C. § 1322 and becomes part of the debtor's plan without any necessity for notice herein. The Parties agree as follows:

1. The Proof of Claim of TOLA of Indiana, LLC, regarding their lien on the property on 1204 N. Dearborn, Indianapolis, Indiana, purchased at tax sale, in the amount of \$13,131.32 will be paid through the Debtor's Chapter 13 Plan as follows:
  - a. The Tax Sale amount of \$4,853.04 will be paid through the Plan at an interest rate of 15% with pre-confirmation adequate protection payments of \$200.00 per month.
  - b. The Trustee will pay interest only at the rate of 5% to TLOA of Indiana, LLC, on the tax sale overbid amount of \$7,146.96, which is being held by the Marion County Treasurer.
  - c. The Trustee will also pay in full \$1,131.32 to TLOA of Indiana, LLC, representing the interest that accrued prior to the filing of this bankruptcy proceeding on the tax sale in the amount of \$727.96 and the overbid in the amount of \$403.36.
2. Upon tender of the redemption amount in 1(a) by the Debtor to the Chapter 13 Trustee, the Chapter 13 Trustee shall file a Motion with the Court proposing to effectuate the redemption with the Marion County Treasurer. Upon the Court's approval and the Chapter

13 Trustee's remittance, the Debtor surrenders any interest in the overbid of \$7,146.96, and the automatic stay with respect to the overbid of \$7,146.96 shall be lifted. The tax lien certificate holder (i.e., TLOA of Indiana, LLC) shall be able to assert its claim on said funds. Also, within 90 days after the Court's approval and the Chapter 13 Trustee's remittance to the Marion County Treasurer, the Marion County Treasurer shall cancel the tax lien against the Debtor's residence commonly known as 1204 N Dearborn Street, Indianapolis, IN 46201.

3. The Debtor is required to timely pay ongoing real estate taxes and to maintain insurance on the property and failure to do so would constitute a default.

WHEREFORE, the parties hereto have agreed to the above terms and ask the Court to approve this Stipulation.

DATE: 9/27/19

John M. Handman, Trustee  
CHAPTER 13 TRUSTEE (OR STAFF COUNSEL)

DATE: 8/28/19

[Signature]  
DEBTOR'S COUNSEL

DATE: 9/9/19

[Signature]  
John Kofas, Counsel for Creditor, TLOA of Indiana, LLC

DISTRIBUTION: Debtor; Debtor's Attorney; Chapter 13 Trustee; U.S. Trustee